

## REMARKS

Claims 1 – 3 remain in this application.

Claims 1 – 3 were rejected under Section 103(a) as being obvious over Courson et al. (U.S. Patent No. 5,609,516, hereinafter “Courson”) in view of Moore (U.S. Patent No. 2,796,704). Applicant respectfully traverses this rejection. Moore is cited merely to show a generic orbital sander. Moore otherwise does not teach or suggest an orbital sander as in the present invention and is in no other way relevant to the present invention. Courson discloses a rotating abrader with a polygonal pad and dust evacuation; Courson relates specifically to rotating abraders using square or polygonal pads. Courson does not teach or suggest an orbital sander having a sanding pad assembly including an annular frame having a circumferential side wall including first and second circumferential edges, the annular frame being disposed between a suction housing and a backing pad, and one of the edges being attached to the backing pad, as in claim 1 of the present application. In Courson, if the mounting member (14, 42) is considered an annular frame, Courson does not teach or suggest that an edge of a circumferential side wall of the annular frame is attached to the backing pad (30, 40). Instead, in Courson, the backing pad (30, 40) is secured to the flat, lower surface of the annular frame (or in a recess 46 of the frame) that is within the boundary of the circumferential edge (see Figs. 2, 3, and 5; column 4, lines 40 – 41; and column 5, lines 60 – 62). There is simply no attachment of the backing pad to a circumferential edge taught or suggested in Courson. Further, the backing pad of Courson is polygonal; preferably square (column 5, lines 17 – 34), and could not be attached to a circumferential edge because it does not have a circular shape. In the present invention, the backing pad is circular so that it can be attached to the annular frame along the circumferential edge. In any event, Courson does not teach or suggest attaching a backing pad to an edge of a circumferential side wall of an annular frame of a sanding assembly, as claimed in claim 1 of the present application. Also, for these reasons no combination of Courson with the orbital sander of Moore would result in an orbital sander as claimed in claim 1 of the present application.

Moreover, one skilled in the art would not be motivated to modify the polygonal pad abrader of Courson to obtain the present invention because Courson teaches away from the present invention. Courson teaches that round (i.e., circular) abrasive pads are overly aggressive and easily gouge work surfaces (column 1, lines 7 – 35). This is the reason Courson uses a polygonal backing pad for use with polygonal abrasives (see column 1, lines 7 – 10 and column 2, lines 51 – 61). Hence, one skilled in the art would not be motivated to modify the polygonal pad abrader of Courson to obtain an orbital sander as in the present invention that uses a circular pad. For these reasons, applicant asserts that the present invention as found in claim 1 is patentable over Courson and Moore, and any further combination thereof.

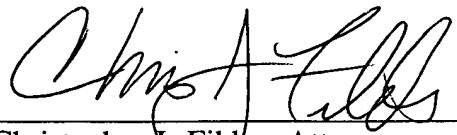
Claims 2 and 3, depending directly from an allowable base claim, are also themselves allowable over Courson and Moore, and any further combination thereof. Applicant therefore requests that the Section 103(a) rejection of claims 1 – 3 over Courson in view of Moore be withdrawn.

Applicant submits that the claimed invention clearly distinguishes over the cited references and should be found allowable. This request for reconsideration is felt to be fully responsive to the comments and suggestions of the examiner. Favorable action is requested.

Respectfully submitted,

Miksa Marton

Fildes & Outland, P.C.



Christopher J. Fildes, Attorney  
Registration No. 32,132  
20916 Mack Avenue, Suite 2  
Grosse Pointe Woods, MI 48236  
(313) 885-1500